

## Extended Producer Responsibility (EPR) in Climate Justice

EPR is a policy approach that assigns responsibility to producers (which can include manufacturers, brand owners, importers) for the full lifecycle of a product, especially end-of-life management (waste collection, recycling, disposal). The goal is to shift the costs and burdens of waste management and environmental externalities from governments / society at large to those who produce the product, thereby incentivizing better design (less waste, more recyclefriendly), reducing environmental impacts, and contributing to circular economy models. EPR is based on the polluter pays principle, which shifts the responsibility for waste management from governments and consumers to producers. In theory, EPR incentivizes companies to design products that are easier to recycle or reuse, reducing the overall environmental impact. In the context of climate justice, this approach can help mitigate greenhouse gas emissions from landfills, incineration, and resource extraction, while also alleviating the disproportionate environmental burdens borne by marginalized communities.

In India, EPR has become a central feature of environmental regulation across multiple waste categories, placing legal responsibility on producers, manufacturers, importers, and brand owners for the lifecycle management of their products. Regulations, in India, numerous Laws, Norms, and Regulations govern EPR compliance in various waste streams. The main laws are:

- Plastic Waste Management Rules
- E-Waste (Management) Rules
- Battery Waste Management Rules
- Hazardous and Other Wastes (Management and Transboundary Movement) Rules

Some key features of the above-mentioned Rules include:

### PLASTIC WASTE MANAGEMENT RULES, 2022<sup>1</sup>

The Plastic Waste Management (Amendment) Rules, 2022 introduced detailed guidelines on Extended Producer Responsibility (EPR) for plastic packaging waste, making producers, importers, and brand owners (PIBOs) legally responsible for the collection, recycling, and end-of-life disposal of the plastic they introduce into the market. The Rules categorize plastic packaging into four types and mandate registration of all obligated entities on a centralized portal. EPR targets are phased, starting at 25% in FY 2021–22 and reaching 100% by FY 2023–24, along with minimum recycling obligations and mandatory use of recycled content in packaging. Compliance requires annual reporting and documentation through authorized



plastic waste processors. Non-compliance may attract environmental compensation under the 'polluter pays' principle, making the system more accountable and environmentally sustainable.

### E-WASTE (MANAGEMENT) RULES, 2022<sup>2</sup>

The E-Waste (Management) Rules, 2022, notified by the Ministry of Environment, Forest and Climate Change, establish a comprehensive Extended Producer Responsibility (EPR) framework for managing electronic waste in India. It defines 'extended producer responsibility' means responsibility of any producer of electrical or electronic equipment as given in Schedule-I for meeting recycling targets as per Schedule-III and Schedule-IV, only through registered recyclers of e-waste to ensure environmentally sound management of such waste. Under these rules, producers, manufacturers, importers, and refurbishers of electrical and electronic equipment (EEE) are legally required to register on a centralized EPR portal managed by the Central Pollution Control Board (CPCB). Producers must meet annual collection and recycling targets based on the quantity of products sold, and they are mandated to channel e-waste exclusively through authorized recyclers. Non-compliance attracts environmental compensation, and the system is designed to promote formal recycling, reduce landfill pressure, and move towards a circular economy in the electronics sector.

### BATTERY WASTE MANAGEMENT RULES, 2022<sup>3</sup>

The Battery Waste Management Rules establish a legal framework that mandates Extended Producer Responsibility (EPR), making producers responsible for the collection, recycling, and environmentally sound disposal of used batteries. The Rules apply to all battery types and

<sup>1</sup> <https://cpcb.nic.in/rules-4/>

<sup>2</sup> <https://cpcb.nic.in/rules-4/>

<sup>3</sup> <https://cpcb.nic.in/rules-5/>

aim to promote a circular economy by ensuring that materials are recovered and reused rather than discarded. Under EPR, producers must meet specific targets for waste battery collection and recycling, register with authorities, and face penalties for non-compliance. This shifts the responsibility for waste management from consumers and local governments to the producers, encouraging sustainable design, responsible sourcing, and pollution prevention throughout the battery lifecycle.

## HAZARDOUS AND OTHER WASTES (MANAGEMENT AND TRANSBOUNDARY MOVEMENT) RULES, 2016<sup>4</sup>

The Hazardous and Other Wastes (Management and Transboundary Movement) Rules, 2016 regulate the safe handling, storage, transportation, recycling, and disposal of hazardous and other wastes, including their import and export. While the Rules do not directly mandate Extended Producer Responsibility (EPR), they complement EPR frameworks by ensuring that any waste generated including by producers under EPR obligations is managed in an environmentally sound manner. The Rules require proper authorization for waste handlers and set strict guidelines for transboundary movement to prevent illegal dumping. In the EPR context, these Rules provide the operational backbone for how producers, recyclers, and waste processors must handle hazardous materials, ensuring that compliance with EPR also meets national and international environmental standards.

According to Hazardous and Other Wastes (Management and Transboundary Movement) Second Amendment Rules, 2023 effective from April 01, 2024, Extended Producer Responsibility of producer of base oil or lubrication oil or importer of used oil for meeting recycling targets only through registered recyclers to ensure environmentally sound management of used oil.

<sup>4</sup> <https://cpcb.nic.in/rules/>

The extended producer responsibility covers the following modes for managing the used oil in order of priority, namely: - (i) producing re-refined base oil or lubrication oil; and (ii) energy recovery. (2) All producers and used oil importers shall fulfil their extended producer responsibility obligation and in doing so they may take help of third-party organisations, such as integrated used oil management systems, collection centres or dealers. It may be noted that the extended producer responsibility shall lie entirely on the producer only.

Further, Hazardous and Other Wastes (Management and Transboundary Movement) Amendment Rules, 2022 provides for Extended Producer Responsibility (EPR) to ensure environmentally sound management of waste tyre.

EPR when effectively implemented, can serve as a powerful tool for climate justice reducing emissions, conserving resources, and alleviating the disproportionate environmental burden on vulnerable communities. India's evolving EPR regulations in plastics, electronics, batteries, and hazardous waste reflect a growing commitment to embedding environmental responsibility at the point of production. As India progresses toward its climate goals and circular economy vision, robust EPR implementation can help bridge the gap between policy ambition and ground-level impact, ensuring inclusive and sustainable development.

### Sources:

- i. [https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/04/extended-producer-responsibility\\_4274765d/67587b0b-en.pdf](https://www.oecd.org/content/dam/oecd/en/publications/reports/2024/04/extended-producer-responsibility_4274765d/67587b0b-en.pdf)
- ii. [https://policycommons.net/artifacts/11321604/extended-producer-responsibility/12207540/?utm\\_source=chatgpt.com](https://policycommons.net/artifacts/11321604/extended-producer-responsibility/12207540/?utm_source=chatgpt.com)
- iii. <https://policycommons.net/artifacts/11321604/extended-producer-responsibility/12207540/>

